

REMARKS

This amendment responds to the Final office action mailed July 28, 2008. In the office action the Examiner:

- rejected claims 1-5, 7-11, and 20 under 35 U.S.C. § 101 as being directed to non-statutory subject matter; and
- rejected claims 1-5, 7-11, and 20-30 under 35 U.S.C. § 103(a) as being unpatentable over Schileru-Key (US 6,580,441) in view of Mona ("Only a Click Away with Virtual Art Galleries," 1998).

After entry of this amendment, the pending claims are: claims 31 - 61.

Remarks Regarding Amendments to the Claims

Claims 1-5, 7-11, and 20-30 have been canceled.

New claims 31 - 61 have been added. Support for these new claims is found in at least pages 8 - 12 and Figures 3A - 3F of the Application as filed.

No new matter has been added.

With respect to all amendments, the Applicants have not dedicated or abandoned any unclaimed subject matter. Moreover, the Applicants have not acquiesced to any characterizations of the invention, nor any rejections or objections of the claims, made by the Examiner.

Remarks Regarding Rejection under 35 U.S.C. § 101

The Examiner rejected claims 1-5, 7-11, and 20 under 35 U.S.C. § 101 as being directed to non-statutory subject matter because they were written using means-plus-function type limitations. These claims have been canceled, and the newly presented claims do not use means-plus-function type language. Therefore, the Applicant respectfully submits that the Examiner's rejection has been addressed.

Remarks Concerning Rejections under 35 U.S.C. § 103

The Examiner rejected claims 1-5, 7-11, and 20-30 under 35 U.S.C. § 103(a) as being unpatentable over Schileru-Key (US 6,580,441) in view of Mona ("Only a Click Away with Virtual Art Galleries," 1998). These claims have been canceled, and new claims have been

added. The Applicant will address the cited references in light of the newly submitted claims.

Claims 31 and 58

Claim 31 states:

A computer-implemented method, comprising:
displaying a virtual scene corresponding to a physical scene including a plurality of first objects, wherein the virtual scene is built from a plurality of images representing different views of the physical scene,
enabling a user to navigate within the virtual scene and observe the virtual scene from one or more perspectives of the different views;
displaying a selectable object within the virtual scene corresponding to one of the first objects;
upon receiving a selection of the selectable object, displaying additional information related to the selectable object, wherein the additional information is at least one of: a plurality of graphical images of the selectable object, an enlarged still image of the selectable object, a photograph of the selectable object, a virtual reality presentation of the selectable object, a video of the selectable object, an audio description of the selectable object, a textual description of the selectable object, a link to buy the selectable object, and a link to bid on the selectable object; and
electronically mailing at least a portion of the displayed additional information related to the selectable object to a third party.
(emphasis added)

Schileru-Key and Mona do not disclose “electronically mailing at least a portion of the displayed additional information related to the selectable object to a third party” as claimed in claim 31. A textual search of Schileru-Key reveals that the terms “email,” “e-mail,” and “mail” are not used anywhere in this patent. As for Mona, although it does reveal e-mailing “post-cards” of art to a friend, the post-cards are not associated with “additional information” presented when an object in a virtual scene was selected, but are rather just the original pieces of art associated with the Museum of Contemporary Art’s website. Therefore, Mona does not disclose, “electronically mailing at least a portion of the displayed additional information related to the selectable object to a third party.”

In light of the above, it is respectfully submitted that Schileru-Key and Mona do not disclose, teach, or suggest all of the limitations of claim 31. For at least this reason, claim 31 and its dependent claims are patentable over Schileru-Key and Mona. Likewise, independent claim 58 is patentable over Schileru-Key and Mona for at least the same reason.

Claims 38 and 59

Claim 38 states in relevant part:

displaying command buttons operable to enable a virtual reality user to scroll left, right, up, and down, and zoom-in and zoom-out within one of the plurality of images;
(emphasis added)

Schileru-Key and Mona do not disclose command buttons that “enable a virtual reality user to scroll left, right, up, and down, and zoom-in and zoom-out within one of the plurality of images.”

Mona was not cited for this element, and indeed teaches no command buttons of any sort.

The Examiner cites Figure 11, element 1100 of Schileru-Key for “command buttons.” (07/28/2008 Office Action, page 6.) However, element 1100, is described in Schileru-Key as nothing but a “main view window 1100.” It comprises the following buttons “path choices 1130 leading away from the starting intersection.” (Schileru-Key, Col. 5, lines 25-26.) As well as the following “playback” buttons: “1140 Play control”, “1150 pause control”, “1160 fast reverse control”, “1170 fast forward control”, and “1180 browse control”. (Schileru-Key, Col. 10, lines 28-60.) None of these buttons allow for scrolling in any direction or for zooming “within one of the plurality of images.” Instead, they allow only for traditional “play” type functions of a normal video machine, which would move from one frame of a video or animation to another, and do not allow for scrolling or zooming within a single image, as claimed.

In light of the above, it is respectfully submitted that Schileru-Key and Mona do not disclose, teach, or suggest all of the limitations of claim 38. For at least this reason, claim 38 and its dependent claims are patentable over Schileru-Key and Mona. Likewise, independent claim 59 is patentable over Schileru-Key and Mona for at least the same reason.

Claims 45 and 60

Claim 45 states in relevant part:

upon receiving a selection of the selectable object,
displaying the object in a rotational view window, and enabling
the user to navigate around the object and observe the object
from a plurality of angles within the virtual scene.

(emphasis added)

Schileru-Key and Mona do not disclose “upon receiving a selection of the selectable object, displaying the object in a rotational view window, and enabling the user to navigate around the object and observe the object from a plurality of angles within the virtual scene.”

Schileru-Key was not cited for, and indeed does not teach rotating or viewing a selected object from multiple angles.

Mona states that “The ‘Shockwave’ selection allows you to pick up and rotate sculptures so you can get a close-up, 360-degree view of the details.” (Mona, Abstract, paragraph 2.) In other words, Mona teaches rotating the object while the viewer remains stationary, while the current claim allows the viewer to navigate around the object, while the object itself remains stationary. Mona, does not disclose “enabling the user to navigate around the object and observe the object from a plurality of angles within the virtual scene.”

It should be noted that claim 45 describes object observation within the “rotational view window” which is separate element from “navigate within the virtual scene” to “observe the virtual scene from one or more perspectives of the different views,” and, as such, is not disclosed by general navigations within the virtual environment described in Schileru-Key.

In light of the above, it is respectfully submitted that Schileru-Key and Mona do not disclose, teach, or suggest all of the limitations of claim 45. For at least this reason, claim 45 and its dependent claims are patentable over Schileru-Key and Mona. Likewise, independent claim 60 is patentable over Schileru-Key and Mona for at least the same reason.

Claims 51 and 61

Claim 51 states in relevant part:

displaying two or more selectable objects within the
virtual scene corresponding to the plurality of first objects;

receiving a selection of at least two selectable objects during a virtual reality presentation; and

after the presentation is completed, simultaneously displaying additional information related to the at least two selectable objects.

(emphasis added)

Schileru-Key and Mona do not disclose “after the presentation is completed, simultaneously displaying additional information related to the at least two selectable objects.” Neither Schileru-Key nor Mona disclose any sort of “virtual reality presentation.”

In contrast, Schileru-Key discloses that, “Users can obtain more information about an item shown in a video by simply clicking on the corresponding hot spot.” (Schileru-Key, Col. 13, lines 18-20.) In other words, Schileru-Key teaches that immediately upon clicking on a “hot spot” more information about a single item is obtained. It does not teach “simultaneously displaying additional information” about at least two selectable objects “after a presentation is completed” as claimed.

Mona describes that “The ‘Shockwave’ selection allows you to pick up and rotate sculptures so you can get a close-up, 360-degree view of the details.” (Mona, Abstract, paragraph 2.) Mona, likewise does not teach “simultaneously displaying additional information” about at least two selectable objects, and furthermore does not teach doing so “after a presentation is completed.”

In light of the above, it is respectfully submitted that Schileru-Key and Mona do not disclose, teach, or suggest all of the limitations of claim 51. For at least this reason, claim 51 and its dependent claims are patentable over Schileru-Key and Mona. Likewise, independent claim 61 is patentable over Schileru-Key and Mona for at least the same reason.

By responding in the foregoing remarks only to particular positions asserted by the Examiner, the Applicants do not necessarily acquiesce in other positions that have not been explicitly addressed. In addition, the Applicants’ arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist.

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at (650) 843-4000, if a telephone call could help resolve any remaining items.

Respectfully submitted,

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